

Case 2:23-cv-06188-JMW Document 283 Filed 05/22/25 Page 1 of 6 PageID #: 6655

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Admitted:

Massachusetts

New York

May 22, 2025

Honorable James M. Wicks
U.S. Federal District Court
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Superb Motors, Inc., et al. v. Anthony Deo, et al.*
Case No. 2:23-cv-6188 (JW)

Your Honor:

I am writing in response to the Superb Plaintiffs' emergency filing tonight seeking yet another bite of the apple regarding the thirty (30) injuncted cars. Please be advised, as follows:

The new attorney for the Deo Defendants (except me, as I am and will remain *pro se* hereafter), Jeff Benjamin, indicated to me earlier that he is completely in agreement with my position(s) regarding the thirty (30) injuncted cars, and completely agrees with me on behalf of the other Deo Defendants that these cars need to be delivered to Anthony Deo tomorrow as Ordered (and repeatedly re-Ordered) by this Court. Simply put, we find this last-minute attempt to sell the cars to be a decided issue in this case; the Court previously indicated that it will not allow the sale of these cars at this time, and there is no meaningful new information provided to the Court in the emergency application that should persuade the Court otherwise. It appears that the Superb Plaintiffs are trying very hard to hide something, and I am opposed in all respects to this last-minute attempt to avoid simply moving the cars and giving the keys and title documents to Anthony Deo. One point I wish to make clear to the Court: In his Affidavit/Declaration submitted to this Court on Wednesday, Plaintiff Urrutia complained that he does not have the money to transport the cars to Anthony Deo's Hicksville lot tomorrow. However, Mr. Urrutia fails to explain 1) how is he paying his attorney to make all of these repeated applications this week, which surely must cost more than simply moving the cars; 2) how could he afford to pay to keep the cars insured and protected on his former lot with his former landlord after abandoning that lot/landlord, who must want to re-lease that property; 3) how could he afford to pay another unrelated landlord up the street for Urrutia's former lot in Hartford while simultaneously keeping the cars insured and protected? None of this makes sense, your Honor, unless the Superb Plaintiffs (and their attorneys) are trying to hide something.

I oppose the application in all respects, and attach hereto the email exchanges I had today with Superb's attorney, Mr. Kataev, so that the Court can see I tried to follow the Court's instructions from the May 9 conference to coordinate the delivery. Simply put, they are hiding something, your Honor.

Respectfully submitted, I remain,

Very truly yours,

Harry R. Thomasson

Harry R. Thomasson, Esq.

RE: 30 automobiles to be delivered by tomorrow

From: Jeffrey Benjamin (jbenjamin@nyfraudlaw.com)
To: emanuel@sagelegal.nyc
Cc: hrtatty@verizon.net
Date: Thursday, May 22, 2025 at 05:29 PM EDT

Mr. Kataev. Please answer every question of Mr. Thomasson for me and coordinate the delivery tomorrow.

Jeffrey Benjamin, Esq.
THE LINDEN LAW GROUP, P.C.
250 Park Avenue, 7th Floor
New York, New York 10177
(212) 655-9536


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-----Original Message-----
From: "Emanuel Kataev" <emanuel@sagelegal.nyc>
Sent: Thursday, May 22, 2025 5:15pm
To: "hrtatty@verizon.net" <hrtatty@verizon.net>
Cc: "Jeffrey Benjamin" <jbenjamin@nyfraudlaw.com>
Subject: RE: 30 automobiles to be delivered by tomorrow

Mr. Thomasson:


Please refer to my previous email. Have the attorney for the Deo Defendants contact me. Do not contact me directly again.

Regards,




Emanuel Kataev, Esq.


ADMITTED IN NEW YORK,
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162 Broadway, 2nd Floor
Amityville, NY 11701

From: hrtatty@verizon.net <hrtatty@verizon.net>
Sent: Thursday, May 22, 2025 5:14 PM
To: Emanuel Kataev <emanuel@sagelegal.nyc>
Subject: Re: 30 automobiles to be delivered by tomorrow

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Mr. Kataev:

Re: 30 automobiles to be delivered by tomorrow

From: hrtatty@verizon.net (hrtatty@verizon.net)

To: emanuel@sagelegal.nyc

Bcc: anthonyd@northshoremotors1.com; sarad@northshoremotors1.com; jbenjamin@nyfraudlaw.com

Date: Thursday, May 22, 2025 at 05:13 PM EDT

Mr. Kataev:

It is now after business hours on the day before the 30 cars are to be delivered to Mr. Deo's Hicksville office yet no one has heard from you to coordinate this delivery. We were ordered by Magistrate Wicks in court on May 9 to coordinate this delivery. Everyone in this case needs to know when the delivery is coming, and what is coming so that arrangements can be made. When are the cars coming tomorrow, how many are coming, are the keys and titles also being delivered? I have been asked to coordinate this since Mr. Benjamin is out of town for the long weekend, and I can easily coordinate this with Mr. Deo. I have an appearance in the case pro se, Mr. Kataev, and you know that I represent Mr. Deo outside of this case. May I please hear from you so that workers do not have to be paid to wait all day for this delivery; people have been arranged to move and safeguard the cars once delivered; I need to hear from you Mr. Kataev, and it is unreasonable that we have heard nothing in the thirteen (13) days since this delivery was ordered by the court. Upon review, please advise.

HARRY R. THOMASSON, Esq.
3280 Sunrise Highway
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On Thursday, May 22, 2025 at 01:55:04 PM EDT, Emanuel Kataev <emanuel@sagelegal.nyc> wrote:

Mr. Thomasson:

You have been disqualified from representing the Deo Defendants and you do not personally have any stake in relation to the vehicles at issue. You also hired counsel to represent you. Therefore, do not contact me directly any further and have your counsel contact me.

Please be guided accordingly,

Re: 30 automobiles to be delivered by tomorrow

From: hrtatty@verizon.net (hrtatty@verizon.net)

To: emanuel@sagelegal.nyc

Cc: jbenjamin@nyfraudlaw.com

Date: Thursday, May 22, 2025 at 02:19 PM EDT

Mr. Kataev:

You are wrong. I did not obtain counsel to represent me. I represent my own interests in this case from now on, and I am subject to the injunction at issue. Please show good faith and respond to my inquiry.

HARRY R. THOMASSON, Esq.
3280 Sunrise Highway
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Wantagh, NY 11793
516-557-5459

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Please be guided accordingly,

Sage Legal

Emanuel Kataev, Esq.

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From: hrtatty@verizon.net <hrtatty@verizon.net>
Sent: Thursday, May 22, 2025 1:52 PM
To: Emanuel Kataev <emanuel@sagelegal.nyc>
Subject: 30 automobiles to be delivered by tomorrow

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Dear Mr. Kataev:

On May 9, 2025, Magistrate Judge Wicks requested in Court, on the record, that you make sure to coordinate the delivery of thirty (30) automobiles to Anthony Deo's Hicksville lot from the Superb Plaintiffs. It is now thirteen days later on the afternoon before delivery, and neither I nor Anthony Deo have been contacted to coordinate this delivery. Please do so at once. We need to be informed, in writing, of the following to properly accept these automobiles: 1) How many cars/trucks are coming; 2) how many of the vehicles can be driven, and how many cannot be driven at this point (please note: all but 3 of these vehicles were driven off the lot at NorthShore in 2023 when we gave the vehicles back); 3) are you delivering keys and titles for each delivered vehicle, and if not, why not; and 4) what time will the vehicles be delivered.

Additionally, I am aware that you attempted to settle this case piecemeal last night. Please be reminded that per the very clear terms of the demand you requested and I sent last week, there will not be piecemeal settlements in any of the three pending actions between our clients. Upon review, please advise in writing at your earliest. Thank you.

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